

PROCEEDINGS OF THE STURGIS CITY COUNCIL

The Common Council of the City of Sturgis met in regular session starting at 6:00 p.m. on Monday, January 19, 2016 at the Erskine Building. Present: Mayor Mark Carstensen, Alderpersons Jason Anderson, Mike Bachand, Branden Bestgen, Rod Bradley, Tony Dargatz, David Hersrud, Adam Martin, and Ronald Waterland. Also present: City Manager Daniel Ainslie and City Attorney Greg Barnier. Absent: None.

Motion by Bachand, second by Martin and carried with all members present voting yes to approve the agenda.

Motion by Waterland, second by Bestgen and carried with all members present voting yes to go into executive session for two legal cases, one contracts and one personnel at 6:00 pm.

Motion by Bestgen, second by Dargatz and carried with all members present voting yes to return to regular session at 6:28 pm.

Mayor Mark Carstensen led everyone in the Pledge of Allegiance.

Announcements:

- The Sturgis/Meade County Historical Society is having a “Tip Shoot Out” at the Holiday Inn Express on January 22nd for a fundraiser.
- An appreciation plaque was presented to Councilor Bestgen for his service from 2013-2016.
- A swearing in of Police Chief Geody VanDewater was performed by City Attorney Barnier.

Informational Reports:

- Planning Commission minutes – 1/5/16

City Manager Ainslie reported:

- General Fund 2015 expenses are at 95.2%. We spent \$283,000 over the original adopted budget. The Gross Receipts Tax is at 99%; Capital Improvements- 98.7%; Liquor – 112%; Water – 105%; Wastewater- 107%; Sanitation – 99% and Ambulance 93%. Not all expenses have been recorded as of the Council meeting, so these numbers will change a little.
- Public Works reported that they expended \$6,000 in salt/sand on the streets for the ice storm that we had Friday, January 15th.
- Bear Butte Cemetery brochure was presented to Council.
- Payroll Changes – within budget: Police Dept - Animal Control Officer - Pam Nash - \$16; Part-time Patrol Officer – Lee Smith - \$19.59; Sergeant – Nate Borg - \$23.06. Parks Dept – winter seasonal – Adrienne Shideler - \$8.75. Liquor Store Dept – Sales Clerk – Kairik Strehlow - \$12.09.

Motion by Waterland, second by Bestgen and carried with all members present voting yes to approve the following items on the consent calendar:

- a. Consideration to approve the minutes from the January 4, 2016 regular council meeting.
- b. Consideration to approve Resolution 2016-11 – Declaring Property Surplus

RESOLUTION 2016-11
A RESOLUTION DECLARING PROPERTY SURPLUS

BE IT FURTHER RESOLVED BY THE COMMON COUNCIL OF THE CITY OF STURGIS that the personal property described below is hereby declared surplus and to be disposed of as described by SDCL 23A-37-13 and 23A-37-10. It is being advisable and in the best interest of the City to sell/trade/dispose of such personal property.

Police:

1. Glock 21 SF Gen 3 (Serial number: MHG221)

Parks

1. HP Officejet Pro 8600 Premium Printer/Fax/Scanner/Copier
Serial number: CN3AAEXGT1
2. HP Copier CB821A -Serial number: M4855241CF
3. Misc. Steel
4. 1949 CAT Bulldozer
5. 1985 Chevy ¾ T Pickup truck VIN 1GCGD34JFF377423
6. 1982 Dodge Ram Pickup truck VIN JB7FP2479CY703983
7. 1986 John Deere 935 Mower VIN CH3029D009199
8. Broken concrete benches
9. Broken flower pots
10. Snapper snow blower- Model Number: 103035 SN: 25012070
11. Swenson Spreader Sander-
12. Monroe Side plow
13. Misc. Firewood
14. Centura PH 2000E Tecumseh Auger 5 HP motor SN: HC673580
15. Auger bits- 8", 10", and 12"

Finance

1. Two generic computers
2. 2 Brother printers (broken)
3. 1 monitor (broken)
4. Large stapler (broken)
5. Key Board (broken)

Miscellaneous

1. Lathem Model 5000EP Timeclock (broken)
2. iPhone 4s (AT&T) - 1
3. iPhone 4s (Verizon) - 1
4. Samsung SGH-A997(AT&T) – 2 + 1 spare battery
5. Casio G'z One Boulder (Verizon) – 16 + 2 spare batteries
6. Casio G'z One Ravine 2 (Verizon) - 16
7. Aircard (AT&T) – 1
8. Motorola W315 (Alltel) – 1
9. Motorola V860 Barrage (Verizon) – 4
10. LG Revere VN150 (Verizon) – 1
11. 2 spare Blackberry batteries
12. Casio DC090612 Split Cable
13. Motorola Droid X2 (Verizon) - 2
14. iPhone 4s (AT&T) - 1
15. iPhone 4s (Verizon) - 1
16. Samsung SGH-A997(AT&T) – 2 + 1 spare battery
17. Casio G'z One Boulder (Verizon) – 16 + 2 spare batteries

18. Casio G'z One Ravine 2 (Verizon) - 16
19. Aircard (AT&T) – 1
20. Motorola W315 (Alltel) – 1
21. Motorola V860 Barrage (Verizon) – 4
22. LG Revere VN150 (Verizon) – 1
23. 2 spare Blackberry batteries
24. Casio DC090612 Split Cable
25. Motorola Droid X2 (Verizon) - 2

Dated this 19th day of April 2016.

Published: 01/27/2016

Effective: 02/17/2016

- c. Consideration to approve Resolution 2016-13 – Support of Selling the Watershed Property to SD Game, Fish & Parks.

**RESOLUTION 2016-13
RESOLUTION IN SUPPORT OF SELLING THE WATERSHED PROPERTY
TO THE SOUTH DAKOTA STATE GAME FISH AND PARKS**

WHEREAS, the City of Sturgis has owned and maintained the watershed property for decades; and

WHEREAS, the City of Sturgis no longer needs this area for municipal domestic water use and wishes to open the area to the public; and

WHEREAS, due to the location and pristine condition of the property the area's highest and best use would be for a state park area; and

WHEREAS, the State Game Fish and Parks are best equipped to be stewards of this area; and

WHEREAS, local developments are currently underway to enhance access to and through the Watershed and to develop a public parking area; and

WHEREAS, the State Game Fish and Parks have shown an interest in development of this property for public use.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Sturgis City Council does hereby support the sale of the watershed property to the State of South Dakota Game Fish and Parks for development of a State Park for residents of our community and state to enjoy.

Dated this 19th day of January, 2016.

Published: 01/27/2016

Effective: 02/17/2016

- d. Consideration to approve Resolution 2016-14 – Appreciation of SD Dept of Revenue Efforts during Rally & Support for Expanded Efforts.

**RESOLUTION 2016-14
RESOLUTION IN APPRECIATION OF THE SOUTH DAKOTA
DEPARTMENT OF REVENUE EFFORTS DURING RALLY AND
SUPPORT FOR EXPANDED EFFORTS**

WHEREAS, the City of Sturgis has faced challenges for several years regarding tax reporting during the annual Sturgis Motorcycle Rally; and

WHEREAS, the City OF Sturgis and SD Department of Revenue have worked together to increase sales tax reporting; and

WHEREAS, the Sturgis Police Department has developed protocol along with the Department of Revenue for prosecution and increased supervision of regulation of tax reporting; and

WHEREAS, said efforts have resulted in a 56% increase in reported sales by temporary vendors in the city limits per traffic count; and

WHEREAS the increase in reported sales by temporary vendors began in 2013 and continued after the increased enforcement occurred; and

WHEREAS, the increased enforcement netted and additional \$531,250 for the state through the 4% general sales tax and an additional \$199,219 for state tourism efforts through the 1.5% state tourism sales tax; and

WHEREAS, the proven results of this enforcement have greatly enhanced resources for our State's priorities and has ensured greater equity between temporary and permanent businesses.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Sturgis City Council does hereby extend to the South Dakota Department of Revenue its appreciation of the efforts in increased tax regulation of temporary vendors during the annual Sturgis Motorcycle Rally.

BE IT FURTHER RESOLVED that the Sturgis City Council requests that similar efforts extend region wide to ensure equity amongst Rally venues, equity region wide between permanent and temporary businesses and generate the equitable tax revenue for the residents of the State of South Dakota.

Dated this 19th day of January, 2016.

Published: 01/27/2016

Effective: 02/17/2016

Motion by Hersrud, second by Bradley and carried with all members present voting yes to approve the following claims with the exception of: Hersrud Co, \$224.48, sup.

WAGES – Ambulance \$27,455.98; Attorney \$3504.00; Auditorium \$189.43; Buildings \$1041.56; Cemetery \$1271.20; City Manager \$4686.83; Community Center \$8774.39; Finance Office \$8270.69; Fire Department \$304.88; Human Resource \$2650.38; Library \$7809.30; Liquor \$4588.40; Mayor and Council \$3450.94; Parks \$10,820.77; Planning & Permitting \$4335.21; Police \$38,840.80; Rally \$4204.57; Recreation \$3642.06; Sanitary Service \$13,583.34; Streets \$11,766.30; Wastewater \$7910.61; Water \$11,583.15; Federal Withholding \$18,468.81; FICA \$13,896.69.

GENERAL – 211 Help Center, \$500.00, other; A&B Business, \$282.03, sup; A&B Welding, \$101.90, rep; Adult Service & Aging Office, \$500.00, other; Mark Alley, \$500.00, ins; Amcon Distributing, \$312.19, resale; American Red Cross, \$500.00, other; Gary Anderson, \$136.48, ins; Avaya, \$38.68, util; BH Resource Conservation & Development, \$100.00, other; BHSU RSVP, \$500.00, other; Black Hills & Badlands Tourism, \$300.00, pub; Black Hills Chemical, \$71.99, resale; Black Hills Habitat for Humanity, \$1,500.00, other; BHP, \$14,054.05, util; Boy Scout Troop 109, \$250.00, other; Brosz Engineering, \$1,295.00, prof fee; Butte Electric, \$606.52, util; Campbell Supply, \$1,105.16, sup; Caselle, \$1,479.00, prof fee; Catholic Social Services, \$500.00, other; CBH, \$11,646.98, sup; Century Business Products, \$70.29, sup; Chain Saw Center, \$71.64, sup; Sturgis Water Dept, \$1,463.22, util; Coca cola, \$792.30, sup; Crisis Intervention

Shelter Service, \$3,000.00, other; Dakota Business Center, \$39.42, sup; Dakota Horizons, \$250.00, other; Dakota Radiator, \$197.39, rep; Dale's Tire & Retreading, \$153.79, rep; Decatur Electronics, \$4,020.00, equip; Degrata Tactical, \$600.00, sup; Double Star Computing, \$1,351.50, prof fee; Ecolab Pest Eliminator, \$193.77, rep; Joyce Ehlers, \$105.00, ins; ESRI, \$900.00, sup; Tamera Even, \$435.79, travel; Fabric Junction, \$90.00, sup; Fat Boys Investments, \$160,000.00, rent; Fedex, \$147.94, sup; Feeding South Dakota, \$1,500.00, other; First Interstate Bank MasterCard, \$3,394.11, sup; Front Porch Coalition, \$500.00, other; G3 Fire, \$187.14, sup; Good Shepherd Clinic, \$500.00, other; Great Western Tire, \$368.00, rep; Grocery Mart, \$304.71, sup;; Hillyard, \$41.32, sup; Intoximeters, \$1,380.00, equip; Jenner Equipment, \$215.18, rep; Brian Jost, \$25.00, refund; KT Connections, \$952.28, prof fee; KEP Investments, \$40,000.00, rent; Knight Security, \$384.00, rep; Robert Kusser, \$147.39, other; Lawson Products, \$108.26, rep; Love Inc. of the Black Hills, \$1,000.00, other; Lutheran Social Services, \$500.00, other; Lynn's Dakotamart, \$228.92, sup; Massa Berry Clinic, \$234.00, sup; Meade County Auditor, \$11,749.21, other; Meade County Senior Citizens, \$5,000.00, other; Meade County Times/Tribune, \$296.44, pub; Menard's, \$31.87, sup; Midcontinent Communications, \$41.78, util; Mid-States Organized Crime, \$150.00, other; Miracle Recreation, \$321.00, sup; Mobile Mini, \$83.97, sup; MDU, \$8,098.19, util; Motionsoft, \$450.00, prof fee; Neve's Uniforms, \$120.00, sup; Northern Hills CASA, \$2,500.00, other; Northern Hills Vet Clinic, \$278.07, prof fee; Mike O'Bryan, \$500.00, ins; O'reilly Auto Parts, \$48.46, rep; Owens Interstate Sales, \$507.53, rep; Petty Cash, \$30.22, other; Powerplan, \$563.18, rep; Prairie Wind BG, \$478.80, sup; Public Safety Equipment Co, \$3,539.00, equip; Purchase Power, \$400.00, sup; Rapid City Journal, \$88.80, pub; Rasmussen Mechanical Services, \$5,209.08, rep; Regional Health, \$175.00, prof fee; Robert Sharp & Associates, \$5,186.00, other; Rushmore Office Supply, \$832.87, sup; Doyle Schaefer, \$238.43, ins; Scott Peterson Motors, \$57.45, rep; SD Municipal League, \$140.00, travel; Servall Towel & Linen, \$396.54, rep; Shopko, \$84.89, sup; Speedy Lube, \$100.31, rep; Stanley Steamer, \$2,468.00, rep; Sturgis Alliance of Churches, \$2,500.00, other; Sturgis Center for the Arts, \$1,000.00, other; Sturgis NAPA, \$718.35, rep; Sturgis Nutrition Program, \$500.00, other; Sturgis Volunteer FD, \$25,853.41, equip; Subway, \$72.00, sup; Matthew Sundberg, \$48.52, ins; The Salvation Army of the Black Hills, \$1,000.00, other; Titan Machinery, \$413.16, rep; Tom's T's, \$603.50, resale; Tracker Software, \$1,215.00, sup; Tri-State Livestock News, \$65.52, sup; Steve Tucker, \$500.00, ins; Twilight First Aid & Safety, \$75.75, sup; United Way, \$1,000.00, other; Brenda Vasknetz, \$4,100.00, prof fee; VAST, \$431.89, util; Verizon, \$144.01, util; Doug Wagner, \$500.00, ins; Waterous Co, \$373.66, prof fee; West Payment Center, \$133.60, prof fee; West River Electric, \$716.73, util.

CAPITAL IMPROVEMENT – Genpro Energy Solutions, \$13,802.47; Haggertys Musicworks, \$2,898.00; Meade County Title Co, \$443.00; petty cash, \$5.75.

BUSINESS IMPROVEMENT DISTRICT – BHP, \$288.03, util; First Interstate Bank MasterCard, \$100.25, sup; MDU, \$11.85, util; Robert Sharp & Associates, \$170.00, pub.

TIF #11 SPM – Brosz Engineering, \$3,217.50, other.

LIQUOR – A&B Welding, \$9.90, sup; Arctic Glacier USA, \$162.56, resale; Black Hills Chemical, \$192.85, rep; Cask & Cork, \$590.65, resale; Century Business Products, \$2.41, sup; Sturgis Water Dept, \$258.79, util; Coca Cola, \$549.60, resale; Double Star Computing, \$12.50, prof fee; Eagle Sales of the BH, \$9,154.95, resale; Ecolab Pest Eliminator, \$107.00, rep; Tom Ferguson, \$1,000.00, ins; First Interstate Bank MasterCard, \$1,057.69, travel; Fisher Beverage, \$2,224.55, resale; Johnson Western Wholesale, \$32,513.79, resale; KT Connections, \$67.93, prof fee; Locks by Bernie, \$40.00, rep; Lynn's Dakotamart, \$140.03, resale; MDU, \$304.93, util; Pepsi Cola, \$248.35, resale; Republic Beverage, \$15,612.42, resale; Rushmore Office Supply, \$749.09, sup; Servall, \$230.01, sup; Trishelle Tammi, \$82.15, ins; The Homeslice Group, \$3,498.00, pub.

WATER – Russell Abernathy, \$183.82, ins; Gary Anderson, \$67.22, ins; BHP, \$6,417.88, util; Kathy Bulau, \$500.00, ins; Butte Electric, \$183.60, util; Century Business Products, \$34.55, sup; Sturgis Water Dept, \$120.14, util; Brad Deutsch, \$288.80, ins; Double Star Computing, \$12.50,

prof fee; First Interstate Bank MasterCard, \$77.98, other; Nikki Kubo, \$313.18, ins; Mobile Mini, \$41.98, sup; MDU, \$361.36, util; Dale Olson, \$513.23, ins; Petty Cash, \$35.31, other; VAST, \$31.36, util.

WASTEWATER – A-1 Sewer & Drain, \$42,310.48, cap improve; Dan Cass, \$381.04, ins; City of Belle Fourche, \$64.73, other; Sturgis Water Dept, \$21.82, util; Double Star Computing, \$12.50, prof fee; Flexible Pipe Tool Co, \$35.20, rep; Jenner Equipment, \$260.56, rep; KT Connections, \$67.93, prof fee; Lawson Products, \$108.26, rep; Massa Berry Clinic, \$78.00, sup; Rushmore Office Supply, \$21.90, sup; Sturgis NAPA, \$35.10, rep; Tracker Software Corp, \$1,215.00, sup; Verizon, \$46.74, util.

SANITATION – A&J Surplus, \$15.93, rep; BHP, \$12.00, util; Campbell Supply, \$51.07, rep; Dan Cass, \$381.04, ins; CBH, \$2,905.85, sup; Century Business Products, \$263.90, prof fee; Century Link, \$53.56, util; City of Belle Fourche, \$18,566.58, other; Double Star Computing, \$12.50, prof fee; Great Western Tire Co., \$102.57, sup; Inland Truck Parts, \$50.42, rep; Jay Johnson, \$156.95, ins; KT Connections, \$67.93, prof fee; Kieffer Sanitation, \$85.50, sup; Lawson Products, \$108.26, rep; Levi Littler, \$123.82, ins; Massa Berry Clinic, \$78.00, sup; Owens Interstate Sales, \$422.08, rep; Rushmore Office Supply, \$54.89, sup; Tim Stumpf, \$500.00, ins; Sturgis NAPA, \$119.06, rep; Dan Tammi, \$362.25, ins; Tracker Software, \$1,215.00, rep.

AMBULANCE – Aetna, \$388.33, refund; BHP, \$639.80, util; Blue Cross Blue Shield of ND, \$54.26, refund; Campbell Supply, \$6.49, sup; CBH, \$1,414.46, sup; Sturgis Water Dept, \$54.00, util; Coca Cola, \$97.64, sup; Double Star Computing, \$57.50, prof fee; Ecolab Pest Eliminator, \$36.57, sup; First Interstate Bank MasterCard, \$659.40, sup; Foothills Home Medical, \$90.00, sup; KT Connections, \$67.93, prof fee; Leavitt Heartland Insurance Service, \$210.00, ins; Lynn's Dakotamart, \$55.07, sup; Medicare Part B, \$436.74, refund; Rushmore Office Supply, \$258.35, sup; Shopko, \$19.17, sup; Sturgis NAPA, \$89.57, rep; Verizon, \$62.25, util.

Motion by Bradley, second by Waterland and carried with Carstensen, Anderson, Bachand, Bestgen, Bradley, Dargatz, Martin and Waterland voting yes, Hersrud abstaining, to approve the following claim: Hersrud Co, \$224.48, sup.

Motion by Bachand, second by Bestgen and carried with all members present voting yes to approve variance #1 – a 15' variance to the side setback along the residential zoned property line and variance #2 – a rear setback for one corner of the building encroaching into the rear setback by just under 5', a normal rear setback is 15', for Maverik Inc –Todd Meyers and Steve Derouchey – at 2420 Junction.

Seth Matthew requested to be on the agenda to discuss the fees that are being charged for advertising on the City website for lodging during the Rally. He wanted to know why there has been a large increase in fees over the past few years and does this money benefit our community? City Manager Ainslie explained the expenses the City has for the website and that the revenue generated goes to the General Fund. The Council asked Mr. Matthew to attend a Rally and Event committee meeting to discuss this subject.

Motion by Waterland, second by Bestgen and carried with all members present voting yes to approve the 2016 Funding Requests to Charitable Organizations.

Any other business:

Councilor Hersrud commented about the last Council meeting and how the Council dealt with the request of the three variances for 2431 Junction Avenue. He apologized to City Staff for what was said.

Councilor Anderson was approached by a resident about the idea of selling some of the asphalt from legendary Main Street. Anderson would like to pursue this idea. Public Works Director Rick Bush felt that this could not be done as the bid documents have been posted already.

Jack Hoel commented on the Special Event money from the City's Triple B sales tax that is given out each year to different events by the Chamber of Commerce. He would like to see Rally related events get some of this money.

Deb Holland, Meade County Times, asked where the City is at on filing the plat for Guy Edwards. The City is waiting on a new plat that identifies the easements of the sewer lines and also the filing of the agreement on parking.

Motion by Waterland, seconded by Dargatz and carried with all members present voting yes to adjourn the meeting at 7:18 pm.

ATTEST: _____
Fay Bueno, Finance Officer

APPROVED _____
Mark Carstensen, Mayor

Published once at the total approximate cost of \$